United Nations S/RES/1704 (2006)

Security Council

Distr.: General
25 August 2006

Resolution 1704 (2006)

Adopted by the Security Council at its 5516th meeting, on 25 August 2006

The Security Council,

Reaffirming its previous resolutions on the situation in Timor-Leste, in particular its resolutions 1599 (2005) of 28 April 2005, 1677 (2006) of 12 May 2006, 1690 (2006) of 20 June 2006, and 1703 (2006) of 18 August 2006,

Welcoming the report of the Secretary-General of 8 August 2006 (S/2006/628),

Commending the people and the Government of the Democratic Republic of Timor-Leste for their action to resolve their political conflicts and the creation of the new government, and *expressing* its concern over the still fragile security, political and humanitarian situation in Timor-Leste, in light of the threat of weapons unaccounted for and the significant number of internally displaced persons,

Taking note of the letter dated 4 August 2006 addressed to the Secretary-General from the Prime Minister of the Democratic Republic of Timor-Leste (S/2006/620), the letter dated 9 August 2006 addressed to the Secretary-General from the Prime Minister of the Democratic Republic of Timor-Leste (S/2006/651) and the letter dated 11 August 2006 addressed to the Secretary-General from the Prime Minister of the Democratic Republic of Timor-Leste (S/2006/668),

Reaffirming its full commitment to the sovereignty, independence, territorial integrity and national unity of Timor-Leste, and to the promotion of long-lasting stability in Timor-Leste,

Expressing its appreciation and full support for the deployment of international security forces by the Governments of Portugal, Australia, New Zealand and Malaysia in response to the requests of the Government of the Democratic Republic of Timor-Leste, and their activities aiming to restore and maintain security in Timor-Leste,

Welcoming the establishment and initiation of the tasks of the Independent Special Commission of Inquiry for Timor-Leste in response to the request made by the Government of the Democratic Republic of Timor-Leste in the letter dated 8 June 2006, and *looking forward* to its report by 7 October 2006,

Expressing its view that the presidential and parliamentary elections scheduled for 2007, to be held for the first time since the country's independence, will be a

06-47902 (E)

significant step forward in the process of strengthening the fragile democracy of Timor-Leste,

Reaffirming the need for credible accountability for the serious human rights violations committed in East Timor in 1999, and *welcoming* the report of the Secretary-General on Justice and Reconciliation for Timor-Leste of 26 July 2006 (S/2006/580),

Further commending the United Nations Office in Timor-Leste (UNOTIL), under the leadership of the Special Representative of the Secretary-General, as well as the good offices and assessment work of the Special Envoy of the Secretary-General, and *expressing its appreciation* to those Member States which have provided support to UNOTIL,

Taking into account that, while the manifestations of the current crisis in Timor-Leste are political and institutional, poverty and its associated deprivations, including high urban unemployment, especially for youth, also contributed to the crisis,

Paying tribute to Timor-Leste's bilateral and multilateral partners for their invaluable assistance, particularly with regard to institutional capacity-building and social and economic development, *recognizing* that there has been a considerable degree of success in the development of many aspects of governance in Timor-Leste, and *expressing its view* that a transfer of responsibility for various areas of support from UNOTIL to the United Nations agencies, funds and programmes and other development partners should not be reversed,

Reaffirming its resolutions 1325 (2000) on women, peace and security and 1502 (2003) on the protection of humanitarian and United Nations personnel,

Welcoming the efforts by the United Nations to sensitize United Nations personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its established operations,

Noting the existence of challenges to the short- and long-term security and stability of an independent Timor-Leste, and determining that preserving the country's stability is necessary for the maintenance of peace and security in the region,

1. *Decides* to establish a follow-on mission in Timor-Leste, the United Nations Integrated Mission in Timor-Leste (UNMIT), for an initial period of six months, with the intention to renew for further periods, and *further decides* that UNMIT will consist of an appropriate civilian component, including up to 1,608 police personnel, and an initial component of up to 34 military liaison and staff officers;

2. *Requests* the Secretary-General to review the arrangements to be established between UNMIT and the international security forces, having consulted all stakeholders, including the Government of Timor-Leste and the contributors to international security forces, and present his views no later than 25 October 2006, and *affirms* that the Council shall consider possible adjustments in the mission structure, including nature and size of the military component, taking into account the above views of the Secretary-General;

3. *Decides* that UNMIT will be headed by a Special Representative of the Secretary-General, who will direct the operations of UNMIT and coordinate all United Nations activities in Timor-Leste;

4. *Decides further* that UNMIT will have the following mandate:

(a) To support the Government and relevant institutions, with a view to consolidating stability, enhancing a culture of democratic governance, and facilitating political dialogue among Timorese stakeholders, in their efforts to bring about a process of national reconciliation and to foster social cohesion;

(b) To support Timor-Leste in all aspects of the 2007 presidential and parliamentary electoral process, including through technical and logistical support, electoral policy advice and verification or other means;

(c) To ensure, through the presence of United Nations police, the restoration and maintenance of public security in Timor-Leste through the provision of support to the Timorese national police (PNTL), as outlined in the Secretary-General's report, which includes interim law enforcement and public security until PNTL is reconstituted, and to assist with the further training, institutional development and strengthening of the PNTL as well as the Ministry of Interior, and also assist in the planning and preparing of electoral-related security arrangements to adequately prepare the national police for performing their roles and responsibilities during the conduct of the 2007 elections;

(d) To support the Government of the Democratic Republic of Timor-Leste, to liaise on security tasks and to establish a continuous presence in three border districts alongside armed United Nations police officers assigned to district police stations, through the impartial presence of United Nations military liaison officers;

(e) To assist the Government of the Democratic Republic of Timor-Leste in conducting a comprehensive review of the future role and needs of the security sector, including the Falintil-Forças Armadas de Defesa Timor-Leste, the Ministry of Defence, the PNTL and the Ministry of Interior with a view to supporting the Government, through the provision of advisers and in cooperation and coordination with other partners, in strengthening institutional capacity-building, as appropriate;

(f) To assist, in cooperation and coordination with other partners, in further building the capacity of State and Government institutions in areas where specialized expertise is required, such as in the justice sector, and to promote a "compact" between Timor-Leste and the international community for coordinating Government, United Nations and other multilateral and bilateral contributors to priority programmes;

(g) To assist in further strengthening the national institutional and societal capacity and mechanisms for the monitoring, promoting and protecting of human rights and for promoting justice and reconciliation, including for women and children, and to observe and report on the human rights situation;

(h) To facilitate the provision of relief and recovery assistance and access to the Timorese people in need, with a particular focus on the segment of society in the most vulnerable situation, including internally displaced and women and children;

(i) To assist in the implementation of the relevant recommendations in the Secretary-General's report on Justice and Reconciliation, including to assist the

Office of the Prosecutor-General of Timor-Leste, through the provision of a team of experienced investigative personnel, to resume investigative functions of the former Serious Crimes Unit, with a view to completing investigations into outstanding cases of serious human rights violations committed in the country in 1999;

(j) To cooperate and coordinate with United Nations agencies, funds and programmes as well as all relevant partners, including the international financial institutions and donors, in carrying out tasks mentioned above as relevant, with a view to making maximum use of existing and forthcoming bilateral and multilateral assistance to Timor-Leste in post-conflict peacebuilding and capacity-building, and to support the Government and relevant institutions, in cooperation and coordination with other partners, in designing poverty reduction and economic growth policies and strategies to achieve the development plan of Timor-Leste;

(k) To mainstream gender perspectives and those of children and youth throughout the Mission's policies, programmes and activities, and, working together with United Nations agencies, funds and programmes, support the development of a national strategy to promote gender equality and empowerment of women;

(l) To provide objective and accurate information to the Timorese people, particularly regarding the forthcoming 2007 elections, while promoting an understanding of the work of UNMIT, and to assist in building local media capacity;

(m) To ensure, within its capability and areas of deployment, and in coordination with the international security forces, the security and freedom of movement of United Nations and associated personnel, and protect United Nations personnel, facilities, installations and equipment and humanitarian assets associated with the operation; and

(n) To monitor and review progress in (a) through (m) above;

5. *Calls upon* the international security forces to fully cooperate with and provide assistance to UNMIT for the implementation of the mandate mentioned above;

6. *Requests* that the Secretary-General and the Government of the Democratic Republic of Timor-Leste conclude a status-of-forces agreement within 30 days of adoption of this resolution, taking into consideration General Assembly resolution 60/123 on the safety and security of humanitarian personnel and protection of United Nations personnel, and *decides* that pending conclusion of such agreement, the agreement between the Government of the Democratic Republic of Timor-Leste and the United Nations Concerning the Status of the United Nations Mission of Support in East Timor (UNMISET) dated 20 May 2002 shall apply provisionally, mutatis mutandis, in respect of UNMIT;

7. *Calls upon* all parties in Timor-Leste to cooperate fully in the deployment and operations of UNMIT and international security forces, in particular in ensuring the safety, security and freedom of movement of United Nations personnel as well as associated personnel throughout Timor-Leste;

8. *Encourages* the Government of the Democratic Republic of Timor-Leste and the Office of the President to create a mechanism to ensure high-level coordination on all matters related to the mandate of UNMIT;

9. *Further encourages* Timor-Leste to enact a set of electoral legislation which provides for the 2007 elections to be supervised, organized, administered and conducted in a free, fair and transparent manner, with due respect to the need to establish an independent mechanism, and reflects general consensus within Timor-Leste regarding the appropriate modalities for the 2007 electoral process;

10. *Urges* the development partners including the United Nations agencies and multilateral financial institutions to continue providing resources and assistance for the preparations for the 2007 elections and other projects towards sustainable and long-term development in Timor-Leste;

11. *Takes note* of the findings contained in the report of the Commission of Experts of 15 July 2005 (S/2005/458), *welcomes* the efforts so far by Indonesia and Timor-Leste in pursuance of truth and friendship, *encourages* the two Governments and the Commissioners to make every effort to strengthen the efficiency and credibility of the Commission of Truth and Friendship in order to ensure further conformity with human rights principles, with a view to ensuring credible accountability, and *welcomes* the proposal of the Secretary-General to create a programme of international assistance to Timor-Leste, consisting of a community restoration programme and a justice programme, including establishment of a solidarity fund by the United Nations to accept voluntary contributions from Member States for the purpose of funding those programmes;

12. *Requests* the Secretary-General to keep the Council closely and regularly informed of developments on the ground, including in particular the state of preparations for the 2007 elections and of the implementation of the mandate of UNMIT, and to submit a report no later than 1 February 2007, with recommendations for any modifications such progress might allow to size, composition, mandate and duration of the UNMIT presence;

13. *Requests* the Secretary-General to take the necessary measures to achieve actual compliance in UNMIT with the United Nations zero-tolerance policy on sexual exploitation and abuse, including the development of strategies and appropriate mechanisms to prevent, identify and respond to all forms of misconduct, including sexual exploitation and abuse, and the enhancement of training for personnel to prevent misconduct and ensure full compliance with the United Nations code of conduct, *requests* the Secretary-General to take all necessary action in accordance with the Secretary-General's Bulletin on special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13) and to keep the Council informed, and *urges* troop-contributing countries to take appropriate preventive action including the conduct of predeployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of such conduct involving their personnel;

14. *Decides* to remain actively seized of the matter.

S/RES/ 1705 (2006)

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United Nations S/RES/1705 (2006)

Security Council

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29 August 2006

Resolution 1705 (2006)

Adopted by the Security Council at its 5518th meeting, on 29 August 2006

The Security Council,

Taking note of the letter to the President of the Security Council from the Secretary-General dated 25 August 2006 (S/2006/688),

Decides that notwithstanding Article 12 ter of the Statute of the International Criminal Tribunal for Rwanda, and notwithstanding that Judge Solomy Balungi Bossa's elected term as an ad litem judge of the Tribunal will, in accordance with Article 12 ter of the Tribunal's Statute, end on 24 June 2007, she be authorized effective 28 August 2006 to continue to serve as a judge in the *Butare* case until its completion.

06-48171 (E)